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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,729	02/15/2002	Rod D. Lawing	014208.1498 (34-98-001CIP	2085

5073 7590 11/22/2004

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EXAMINER	
TRAN, PHILIP B	

ART UNIT	PAPER NUMBER
2155	18

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Commissioner for Patents

The supplemental examiner is hereby provided for corrections of typographical errors on the headline of ground of rejection. . That is, the status of rejections of claims 39-43 is included. In addition, the IDS (see Paper No. 10) is resent to applicant for consideration of "Lawing et al., U.S. Patent Publication No. 2002/0112150 A1, Method and System for Central Management of a computer Network, Patent and Trademark Office, filed 02/15/2002". No more extension of time has been given regarding this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip B. Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (571) 272-3978.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Philip B. Tran
Patent Examiner
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SUPV PATENT EXAMINER

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 18

Application Number: 10/076,729
Filing Date: February 15, 2002
Appellant(s): Lawing et al

Travis W. Thomas
For Appellant

SUPPLEMENTAL EXAMINER'S ANSWER

This is in response to the appeal brief filed 01/05/2004.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct. But, Appendix A shows patent application 09/548,466 is incorrect. It should be patent application 10/076,729.

(4) Status of Amendments After Final

The statement of the status of amendments contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that all pending claims may be grouped together as a single group. Therefore, claims 1-43 stand or fall together.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

U.S. Pat. No. 5,742,829 Davis et al April 21, 1998.

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-18, 20-29 and 31-35 are rejected under 35 U.S.C. 102 (e) and claims 19 and 30 are rejected under 35 U.S.C. 103 (a).

Claims 1-18, 20-29, 31-35 and 39-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis et al (Hereafter, Davis), U.S. Pat No. 5,742,829.

Regarding claim 1, Davis teaches a method for centrally managing plural network clients interfaced with a network host, comprising :

initiating a login script at a network client, the login script calling a login routine associated with the network host that operationally manages the configuration of the

network client (i.e., logon script is invoked when the end user of the client computer attempts to logon to the server) [see Fig. 5A and Col. 11, Lines 30-46]; and

installing a start-up routine with login routine, the start-up routine associated with the network client, and using a start-up routine to determine the operating system of the network client, and managing the configuration of the operating system of the network client with the start-up routine according to the operating system of the network client (i.e., server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer systems of different natural languages, different operating system types, and/or different processors types in order to install appropriate software) [see Abstract, and Col. 2, Lines 45-67, and Col. 5, Line 51 - Col. 6, Line 9, and Col. 11, Lines 47-49].

Regarding claim 2, Davis further teaches directing the network client to install predetermined local utilities and to load predetermined network utilities (i.e., configuring whether to load programs onto the clients) [see Col. 11, Lines 1-29]. For example, Davis further teaches the site configuration manager is utilized by the administrator of the distributed system in order to alter the program list that identifies programs that are installed on the client within domain, copying or installing software or program. This software (program) includes the package command manager and remote diagnostics {see Col. 10, Lines 43-67]. This suggests that utilities program is loaded or installed on the client for diagnostics or maintenance work on the system.

Regarding claims 3-5, Davis further teaches initiating a login routine resides on the network host with the login script, and using the login routine to initiate the start-up routine on the network client [see Figs. 2-3C, and Col. 9, Line 1- Col. 10, Line 12].

Regarding claim 6, Davis further teaches the operating system comprises one of either Windows NT or Windows 95 [see Col. 5, Lines 15-20].

Regarding claims 7-8, Davis further teaches the start-up routine installs the predetermined local utilities according to launch manager values and setting launch manager values with a launch manager [see Col. 14, Line 45 - Col. 15, Line 7].

Regarding claim 9, Davis teaches a method for centrally managing plural network clients interfaced with a network host, comprising :

initiating a login script at a network client (i.e., logon script is invoked when the end user of the client computer attempts to logon to the server) [see Fig. 5A and Col. 11, Lines 30-46];

automatically calling a login routine, the login routine operationally managing the configuration of an operating system of the network client, using the login routine to install a start-up routine on the network client, and automatically calling the start-up routine, the start-up routine operationally managing the start-up of the network client (i.e., server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer

systems of different natural languages, different operating system types, and/or different processors types in order to install appropriate software) [see Abstract, and Col. 2, Lines 45-67, and Col. 3, Lines 24-39, and Col. 5, Line 51 - Col. 6, Line 9, and Col. 11, Lines 47-49].

Regarding claim 10, Davis further teaches the start-up routine manages the network client by directing the network client to install predetermined local utilities and to load predetermined network utilities (i.e., configuring whether to load programs onto the clients) [see Col. 11, Lines 1-29]. For example, Davis further teaches the site configuration manager is utilized by the administrator of the distributed system in order to alter the program list that identifies programs that are installed on the client within domain, copying or installing software or program. This software (program) includes the package command manager and remote diagnostics {see Col. 10, Lines 43-67]. This suggests that utilities program is loaded or installed on the client for diagnostics or maintenance work on the system.

Regarding claims 11-12, Davis further teaches the login routine manages the configuration of the network client by performing a method comprising gathering system information and creating standard directories [see Col. 6, Line 66 - Col. 7, Line 31], determining the operating system of the network client [see Col. 5, Line 51 - Col. 6, Line 9], installing default applications [see Col. 12, Line 61 - Col. 13, Line 38], and

establishing a desktop configuration by installing the launch manager [see Abstract, and Figs. 2-3C, and Col. 8, Line 56 - Col. 9, Line 14].

Regarding claim 13, Davis further teaches the login routine resides on the network server [see Fig. b and Col. 8, Line 56 - Col. 9, Line 39].

Regarding claim 14, Davis further teaches the launch manager resides on the network client [see Fig. 3C and Col. 15, Lines 2-7]. It is inherent that there is existence of the launch manager.

Regarding claims 15-16, Davis further teaches at least one network client has a Window 95 or Window NT operating system [see Col. 5, Lines 15-20].

Regarding claim 17, Davis teaches a system for central management of plural network clients interfaced with a network host, each network client having an operating system, comprising :

a start-up routine associated with each network client, the start-up routine operational to determine the network client operating system, and to direct network clients to install predetermined local utilities, the start-up routine further operational to direct network clients to load predetermined network utilities (i.e., configuring whether to load programs onto the clients) [see Col. 11, Lines 1-29]; and

a login routine associated with each network client, the login routine operational to determine the network client operating system, and to manage configuration of the network client operating system according to the determined network client operating system [see Abstract, and Figs. 2-3C, and Col. 2, Lines 15-31, and Col. 8, Line 56 - Col. 9, Line 39, and Col. 9, Line 1- Col. 10, Line 12, and Col. 14, Line 29 - Col. 15, Line 16].

Regarding claim 18, Davis further teaches the network comprises a local area network [see Col. 1, Lines 40-51, and Col. 4, Lines 13-55].

Regarding claim 20, Davis further teaches the launch manager resides on the network client [see Fig. 3C and Col. 15, Lines 2-7]. It is inherent that there is existence of the launch manager.

Regarding claim 21, Davis further teaches at least one network client has a Window 95 or Window NT operating system [see Col. 5, Lines 15-20].

Regarding claim 22, Davis teaches a method for establishing the configuration of network workstations, comprising :

initiating a login of one or more workstations to the network (i.e., logon script is invoked when the end user of the client computer attempts to logon to the server) [see Fig. 5A and Col. 11, Lines 30-46]; and

loading a start-up routine to the one or more workstations, the start-up routine having instructions for workstation configuration, initiating operation of the start-up routine instructions with a message sent over the network to the one or more work stations, and configuring an operating system of the workstation according to the start-up routine instructions (i.e., server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer systems of different natural languages, different operating system types, and/or different processors types in order to install appropriate software) [see Abstract, and Col. 2, Lines 45-67, and Col. 5, Line 51 - Col. 6, Line 9, and Col. 11, Lines 47-49].

Regarding claims 23-24, Davis further teaches determining an exception to the start-up routine and preventing the initiation of start-up routine [see Col. 14, Lines 29-46].

Regarding claims 25-26, Davis further teaches executing the start-up routine instructions on the workstation to initiate a pulse tool on the workstation and monitoring a network queue with the pulse tool to determine actions for the workstation (i.e., the site server acts as the management system for all sites) [see Col. 5, Line 47 - Col. 6, Line 22].

Regarding claims 27-28, Davis further teaches sending a message to the workstation over the network to approve or defer installation of the application, tracking

the number of deferrals, and initiate installation of the application [see Figs. 5A & 5B and Col. 13, Line 39 - Col. 14, Line 47].

Regarding claim 29, Davis teaches a system for configuration of workstations associated with a network, comprising :

a login tool that receives login requests from the workstations (i.e., logon script is invoked when the end user of the client computer attempts to logon to the server) [see Fig. 5A and Col. 11, Lines 30-46]; and

a start-up tool called by the login tool upon receipt of a login request, the start-up tool providing configuration instructions for configuring an operating system of the workstation to the workstation making the login request, wherein a message sent through the network to the workstation initiates the configuration instructions for configuring the operating system of the workstation (i.e., server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer systems of different natural languages, different operating system types, and/or different processors types in order to install appropriate software) [see Abstract, and Col. 2, Lines 45-67, and Col. 5, Line 51 - Col. 6, Line 9, and Col. 11, Lines 47-49].

Regarding claim 31, Davis further teaches an application and message initiating installation of the application [see Col. 13, Line 39 - Col. 14, Line 47].

Regarding claims 32-33, Davis further teaches executing the start-up routine instructions on the workstation to initiate a pulse tool on the workstation and monitoring a network queue with the pulse tool to determine actions for the workstation (i.e., the site server acts as the management system for all sites) [see Col. 5, Line 47 - Col. 6, Line 22].

Regarding claim 34, Davis further teaches a text tool operational to identify workstation configuration exceptions, the text tool preventing initiation of predetermined configuration instructions by a workstation [see Col. 14, Lines 29-46].

Regarding claim 35, Davis further teaches an information tool associated with the network for disseminating information to workstations, the information tool sending a message to one or workstations to display information based on instructions store on the workstation by the start-up tool [see Figs. 5A & 5B and Col. 13, Line 39 - Col. 14, Line 47].

Regarding claim 39, Davis further teaches managing configuration of the operating system of the network client comprises managing configuration of one or more of :

one or more network communication protocols associated with the operating system of the network client;

one or more patches associated with the operating system of the network client;

one or more network security releases associated with the operating system of the network client; and

one or more site-specific configuration requirements associated with the operating system of the network client (i.e., site configuration manager is responsible for managing or modifying configuration associated with a change in the operating system of the client computer) [see Abstract and Col. 3, Line 24 - Col. 4, Line 56 and Col. 9, Lines 8-39 and Col. 10, Lines 43-65].

Regarding claim 40, Davis further teaches managing configuration of the operating system of the network client comprises managing configuration of one or more of :

one or more network communication protocols associated with the operating system of the network client;

one or more patches associated with the operating system of the network client;

one or more network security releases associated with the operating system of the network client; and

one or more site-specific configuration requirements associated with the operating system of the network client (i.e., site configuration manager is responsible for managing or modifying configuration associated with a change in the operating system of the client computer) [see Abstract and Col. 3, Line 24 - Col. 4, Line 56 and Col. 9, Lines 8-39 and Col. 10, Lines 43-65].

Regarding claim 41, Davis further teaches managing configuration of the operating system of the network client comprises managing configuration of one or more of :

one or more network communication protocols associated with the operating system of the network client;

one or more patches associated with the operating system of the network client;

one or more network security releases associated with the operating system of the network client; and

one or more site-specific configuration requirements associated with the operating system of the network client (i.e., site configuration manager is responsible for managing or modifying configuration associated with a change in the operating system of the client computer) [see Abstract and Col. 3, Line 24 - Col. 4, Line 56 and Col. 9, Lines 8-39 and Col. 10, Lines 43-65].

Regarding claim 42, Davis further teaches managing configuration of the operating system of the network client comprises managing configuration of one or more of :

one or more network communication protocols associated with the operating system of the network client;

one or more patches associated with the operating system of the network client;

one or more network security releases associated with the operating system of the network client; and

one or more site-specific configuration requirements associated with the operating system of the network client (i.e., site configuration manager is responsible for managing or modifying configuration associated with a change in the operating system of the client computer) [see Abstract and Col. 3, Line 24 - Col. 4, Line 56 and Col. 9, Lines 8-39 and Col. 10, Lines 43-65].

Regarding claim 43, Davis further teaches managing configuration of the operating system of the network client comprises managing configuration of one or more of :

one or more network communication protocols associated with the operating system of the network client;

one or more patches associated with the operating system of the network client;

one or more network security releases associated with the operating system of the network client; and

one or more site-specific configuration requirements associated with the operating system of the network client (i.e., site configuration manager is responsible for managing or modifying configuration associated with a change in the operating system of the client computer) [see Abstract and Col. 3, Line 24 - Col. 4, Line 56 and Col. 9, Lines 8-39 and Col. 10, Lines 43-65].

Claims 19, 30 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (Hereafter, Davis), U.S. Pat No. 5,742,829.

Regarding claim 19, Davis does not explicitly teach the network comprises a wide area network. However, the use of a variety of networks such as LAN and WAN is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a WAN in the network in order to extend connections to geographically separated areas in the network.

Regarding claims 30 and 36-38, Davis does not explicitly teach icons, browser, screen shot, and hot link to intranet site. However, the act of displaying information associated with those elements is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include screen shot and hotlink as well as icon and browser in order to display information while performing network monitoring.

(11) Response to Argument

Appellant has chosen claims 1-43 stand or fall together.

Sole Issue : Regarding claims 1-43, pages 5-6 of the Appeal Brief are directed to these claims.

Appellant argues that Davis fails to disclose, teach, or suggest limitations recited in independent claims 1, 9, 17, 22 and 29.

Examiner respectfully disagrees. According to Fig. 3 of the instant application, item 60 identifies that setup client configuration tasks include install start-up management engine and copy standard set of network programs. On the other hand,

Davis does not merely disclose installing software at a network client as argued by appellant because Davis discloses not only centralized management of network with logon script is invoked when the end user of the client computer attempts to logon to the server, but Davis also discloses server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer systems of different natural languages, different operating system types, and/or different processors types in order to install appropriate software.

As to claim 1, Davis teaches a method for centrally managing (= centralized management) plural network clients interfaced with a network host (= server) [see Col. 3, Line 24 to Col. 4, Line 12], comprising initiating a login script at a network client, the login script calling a login routine associated with the network host that operationally manages the configuration of the network client. For example, logon script is invoked when the end user of the client computer attempts to logon to the server [see Fig. 5A and Col. 11, Lines 30-46]. In addition, Davis further teaches installing a start-up routine with login routine, the start-up routine associated with the network client, and using a start-up routine to determine the operating system of the network client, and managing the configuration of the operating system of the network client with the start-up routine according to the operating system of the network client. For example, server performs user validation as well as other functionality associated with the logon process including centralized management on heterogeneous client computer systems of different natural

languages, different operating system types, and/or different processors types in order to install appropriate software [see Abstract, and Col. 2, Lines 45-67, and Col. 5, Line 51 to Col. 6, Line 9, and Col. 11, Lines 30-67]. Thus, determining and managing the configuration of the network client with different operating system types are carried out.

Claims 2-8 and 39 are dependent on claim 1 and thus are not patentable at least for the reasons set forth above to claim 1.

Independent claims 9 and 17 are not exactly the same as claim 1 and therefore remain/stand rejected as shown above.

Claims 10-16 and 40 are dependent on claim 9 and thus are not patentable at least for the reasons set forth above to claim 9.

Claims 18-21 and 41 are dependent on claim 17 and thus are not patentable at least for the reasons set forth above to claim 17.

Independent claims 22 and 29 have similar limitations of claim 1 and therefore remain/stand rejected at least for reasons as shown above to claim 1. However, the limitation stated as "**managing configuration of** an operating system of a network client" is not in claims 22 and 29.

Claims 23-28 and 42 are dependent on claim 22 and thus are not patentable at least for the reasons set forth above to claim 22.

Claims 30-38 and 43 are dependent on claim 29 and thus are not patentable at least for the reasons set forth above to claim 29.

Therefore, claims 1-43 remain/stand rejected as shown above.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Conferees

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